Supreme Court, U. S.
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MICHAEL RODAK, JR., CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1978

No. 78-782

PIPELINE CONSTRUCTION COMPANY, INC.,

Petitioner,

vs.

SAMUEL H. JAFFEE, JOSEPH L. TAURO, dba JAFFEE AND TAURO, HARVEY JAFFEE and JAMES D. HENNESSEY,

Respondents.

PETITIONER'S REPLY BRIEF TO RESPONDENTS" BRIEF IN OPPOSITION TO THE PETITION FOR A WRIT OF CERTIORARI

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PETITIONER'S REPLY BRIEF

This reply brief is directed to the following three matters set forth in the Respondents' Brief in Opposition:

First Respondents State: "THIS COURT DOES NOT HAVE JURISDICTION UNDER 28 USC 1257(3) 1970 TO GRANT CERTIORARI IN THIS CASE."

Petitioner's Reply: This Court has jurisdiction to grant Certiorari to the Petitioner. Jurisdiction established under 28 USC 1257(3) (Petitioner's Writ, page 3) which states in part "...or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution..."

Also, under the Fourteenth Amendment of the United States Constitution (Petitioner's Writ page 6) which states in part "...nor deny to any persons within its jurisdiction the equal protection of the laws..."

Also, under Article Twelve of the Massachusetts Constitution (Petitioner's Writ page 7) which states in part "...no subject... deprived of his property, immunities or privileges, put out of the protection of the law...or deprived of his life, liberty, or estate, but by the judgment of his peers, or the laws of the land..."

Secondly, Respondents State: Petitioner did not file its Petition for Writ of Certiorari within the time prescribed by law.

Petitioner's Reply: The Petitioner did file its Petition for Writ of Certiorari on time in eighty-nine (89) days. Time limit by Rule 28 USC 2101(c) is ninety (90) days.

The Respondent is trying to confuse this Honorable Court with the wrong date of May 31, 1978, because the ninety (90) day period started from August 16, 1978 (Petitioner's Writ page 2, 3, and 12) date and Petitioner filed its Writ of Certiorari in eighty-nine (89) days on November 13, 1978.

Third, Respondents State: This Court should decline to grant Certiorari to review the questions which Petitioner raises in its Petition.

Petitioner's Reply: The Court should not decline the Writ of Certiorari, in fact, should grant the Writ of Certiorari as the Court did in the case of Dennett v. Hogan 38 L Ed 20 13 (U.S. Sup. Ct. 1973) of which case is similar to the Petitioner's case and, also, for all the reasons stated in the Petitioner's Petition for Writ of Certiorari. In Dennett v. Hogan, the defendant acting pro se first "a judge of the U.S. Court of Appeals granted the defendant pro se a request for an extension of time to submit his appeal brief (This is the same in our case. The Petitioner was granted a first extension.) Then, the defendant requested another extension of time and was denied (This is the same in our case. We asked for another extension of time and was denied.) Defendant appealed to the U.S. Supreme Court (we appealed to the U.S. Supreme Court by Petition for Writ of Certiorari) Opinion of the U.S. Supreme Court "treating the application as a Petition for Certiorari and granting certiorari." (This is the same thing Petitioner hopes to receive from this Court.) (Pet. Writ pg. 28-29)

The Petitioner presented a good, valid, truthful, lawful, and constitutional Petition

for Writ of Certiorari, including citing many important cases; setting forth all that is required in Rule 23 of the Rules of the Supreme Court of the United States, including #D Constitutional Provisions of which the Respondent in replying in their brief does not seem to understand the importance of this #D in our Petition.

Respectfully submitted,

PIPELINE CONSTRUCTION COMPANY, INC.,
Petitioner

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